International Atomic Energy Agency
INFORMATION CIRCULAR

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INFCIRC/566/Add.1
INFCIRC/567/Add.1
23 July 1998

GENERAL Distr.
Original: ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN and SPANISH

PROTOCOL TO AMEND THE VIENNA CONVENTION ON CIVIL LIABILITY FOR NUCLEAR DAMAGE

CONVENTION ON SUPPLEMENTARY COMPENSATION FOR NUCLEAR DAMAGE

FINAL ACT

1. The Diplomatic Conference, which was convened by the Director General in Vienna from 8 to 12 September 1997, adopted the above referenced instruments reproduced in documents INFCIRC/566 and INFCIRC/567.

2. The Final Act of the Diplomatic Conference is reproduced herein for the information of all Members.

For reasons of economy, this document has been printed in a limited number.

98-02439

FINAL ACT

1. The Board of Governors of the International Atomic Energy Agency (IAEA) at its meeting on 11 June 1997 authorized the Director General to convene a Diplomatic Conference to adopt a Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage and to adopt a Convention on Supplementary Funding.

2. The Conference met in Vienna at the Headquarters of the IAEA, 8 - 12 September 1997.

3. The Governments of the following States were represented at the Conference: Algeria, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Czech Republic, Denmark, Ecuador, Egypt, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Indonesia, Iran, Islamic Republic of, Iraq, Ireland, Israel, Italy, Japan, Jordan, Korea, Republic of, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Viet Nam and Yemen.

4. The following international organizations were represented by observers at the Conference: International Maritime Organization, United Nations, European Union/European Commission and OECD Nuclear Energy Agency. The following non-governmental organizations were represented by observers at the Conference: British/European Insurance Committee, Greenpeace and UNIPEDE.

5 The Conference was opened by Mr David Waller, the Acting Director General, on behalf of Dr Hans Blix, Director General of the IAEA. Dr Blix and Mr Waller also addressed the Conference.

6 The Conference elected Mr J. Mišák, (Slovakia) as President, and Ms. C. E. Kessler (United States of America), Mr. S.C.M. Abi-Sad (Brazil), Mr. C. Zeileissen (Austria), Mr J. Łopuski (Poland), H.E. Mr. A. Halim Mohamed (Sudan), Mr. E. Khalilipour Langeroudi (Iran, Islamic Republic of), H.E. Mr. L.L. Joseph (Australia) and Mr. Chung Won Cho (Korea, Republic of) as Vice-Presidents.

7 The Conference set up a Committee of the Whole of which the members were all States participating in the Conference. The Conference elected Judge T. Melchior (Denmark) as Chairman of the Committee of the Whole, and Mr. G. Maffei (Argentina) as Vice Chairman.

8 The Conference set up a Drafting Committee of which the members were the representatives of the following States: Australia, Austria, Belgium, China, Cuba, France, Italy, Jordan, Korea, Republic of, Mexico, Morocco, Netherlands, Norway, Russian Federation, Syrian Arab Republic, Ukraine, United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Conference elected Mr. A. Gioia (Italy) as Chairman of the Drafting Committee.

9 The Conference had before it as the basic proposal for its discussions the following documents: the Draft Protocol to amend the Vienna Convention on Civil Liability for Nuclear Damage and the Draft Convention on Supplementary Funding (Documents NL/DC/3 and NL/DC/4), prepared by the IAEA Standing Committee on Liability for Nuclear Damage under the Chairmanship of H.E. Mr. C. Lidgard.

10 On the basis of its deliberations, the Conference adopted on 12 September 1997 the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage which are attached to this Final Act, and which will be opened for signature in accordance with their provisions at the Headquarters of the IAEA from 29 September 1997. The Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage are subject to ratification, acceptance, approval or accession. They will be deposited with the Director General of the IAEA.

11. The following States made statements after the adoption of the Protocol and the Convention, which will be reflected in the summary records of the Conference: Belgium, China, Ecuador, Egypt, Germany, New Zealand, Norway, Pakistan, Turkey and Ukraine.

12. The Conference adopted this Final Act. The original of this Final Act, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, is deposited with the Director General of the IAEA.

IN WITNESS WHEREOF the undersigned have affixed their signatures to this Final Act.

DONE at Vienna this twelfth day of September, one thousand nine hundred and ninety-seven.